

REMARKS

Claims 1 and 8 have been amended. No new matter has been added. Claims 2-7 and 9-19 have been canceled. Claims 1 and 8 remain in the application. Reconsideration and reexamination is respectfully requested.

In a response to a restriction requirement, applicant elected claims 1-5 and 7-8. In this response, the non-elected claims 6 and 9-19 are expressly canceled.

In paper 8, claims 1-5 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Number 4,623,937 (Watanabe) and by JP2001024847. Claims 2-5 and 7 have been canceled. Claim 1 has been amended to incorporate the limitations of claim 7. Claim 8 has been amended to depend from claim 1 instead of from claim 7.

In paper 8, claims 7-8 were rejected under 35 U.S.C. § 103 as allegedly unpatentable over Watanabe. Applicant respectfully traverses.

From MPEP 2142, to establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

Original claim 7 (now amended claim 1) specifies that a video display is used as a light source. The examiner has simply stated a conclusion with no reference to any prior art using a video display as a light source, and with no citation of any suggestion in the prior art to use a video display as a light source. No *prima facie* case of obviousness has been established.

Claim 8 further specifies that the reflecting surface can be reoriented to direct light from the video display, through the lenses, instead of light from the scanline being directed through the lenses. That is, in claim 8, the reflecting surface can be reoriented so that either the document can be scanned or the video display can be scanned. The examiner's remarks merely state the existence of video displays, and do not address this additional limitation. No *prima facie* case of obviousness has been established.

The following comments are in regard to other art made of record by the examiner.

U.S. Patent Number 6,154,247 discloses a printer, not an image scanner, and does not teach or suggest use of a video display for a light source for an image scanner.

Entry of this amendment is respectfully requested. This application is considered to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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